



सत्यमेव जयते

# ORGANISATION AND PROCEDURE (MAXWELL COMMITTEE REPORT)

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## CHAPTER I

### THE POSITION OF DEPARTMENTS UNDER FEDERATION AND THE STATUS AND FUNCTIONS OF THE SECRETARY IN RELATION TO THE MINISTER

Section 9 of the Government of India Act, 1935, provides that there shall be a Council of Ministers, not exceeding ten in number, to advise the Governor General in exercise of his functions, except in so far as he is by or under the Act required to exercise his functions or any of them in his discretion. Under section 10 of the Act, the Ministers shall be chosen and summoned by the Governor General and shall hold office during his pleasure. A Minister who for a period of six months is not a member of either Chamber of the Federal Legislature shall, at the expiration of that period, cease to be a Minister. All executive action of the Federal Government shall be taken in the name of the Governor General, who shall make rules for the more convenient transaction of business and for the allocation of the said business among the Ministers. The rules shall include provisions requiring Ministers and Secretaries to transmit to the Governor General all such information with respect to the business of the Federal Government as may be specified in the rules, or as the Governor General may otherwise require, and in particular requiring a Minister to bring to the notice of the Governor General and the appropriate Secretary to bring to the notice of the Minister concerned and of the Governor General any matter under consideration by him which involves, or appears likely to involve any special responsibility of the Governor General.

2. The provision of the Act as to the maximum number of Ministers has been some guide to us regarding the number of Departments that are likely to be needed in the Ministerial field and has formed the basis of the proposals in Chapter II of our report relating to the scheme of Departments under Federation. The other provisions of the Act summarised here bear more directly on the functions and status of the Secretary in relation to the Minister and suggest the following propositions :—

- (1) Ministers, who will be drawn from public life, may be men without previous official experience and will certainly have to devote far more time to parliamentary and political duties than Members of Council under the present Constitution. Sessions of the Legislature will probably last longer and the demands of political supporters as well as opponents on the time of Ministers will be substantial.
- (2) Under the system of responsible Government which the Act contemplates with respect of the Ministerial field, Ministers will be liable to change from time to time and, in all probability, more frequently than Members of Council.

(3) The administrative machine which will be the instrument for carrying out Government's policy must, as in other countries where responsible Government exists, have a separate and continuous existence of its own.

3. In our opinion, these propositions affect, in varying degrees, each of the four heads under which we have considered the problem entrusted to us, and we have taken this fact into account in making our recommendations. As regards the functions and status of the Secretary, certain broad conclusions emerge.

4. At present the business which will come within the Ministerial field under Federation is dealt with in six Departments, *viz.*, Finance, Commerce, Home, Legislative, Education, Health and Lands and Industries and Labour. The political and parliamentary duties of Ministers will necessitate the splitting up of the larger Departments so as to provide each Minister with a manageable charge. This, as explained in our suggestions for the probable scheme of Departments under Federation (Chapter II), may lead to the creation of 9 separate Departments—an arrangement which, it may be said in passing, will make it possible to allocate one Department to each Ministerial portfolio and leave room for the appointment of one Minister without portfolio.

5. The Act requires the Governor General to allocate business to individual Ministers. This presupposes the existence of units or Departments by which the business of administration under the direction of the Minister will be carried on. The other implications of the new Constitution, as expressed in the three general propositions set out above, also postulate unity of administrative control of each Department and the concentration of responsibility for advising the Minister on all matters relating to a Department in one official. The principle of collective Ministerial responsibility has for its administrative counterpart the individual responsibility of one Departmental head to the Ministry and the Minister; no other arrangement will be conducive either to departmental efficiency or to departmental discipline. The Minister will have a right to expect advice based on the widest administrative experience available in the Department; the Secretary will be the officer in the Department qualified by experience to give such advice. The Minister, who will not be in a position to attend to the day to day business of administration, will expect administration to be efficiently carried on. This will be impossible to ensure if control of the Department under the Minister is divided. In Great Britain the desired balance between political and administrative responsibility has been secured by the appointment, under each Minister, of a permanent official as the administrative head of the Department. A corresponding function will naturally fall to the Secretary in a Department under Federation. He will be the sole administrative head of the Department under the Minister, responsible to him and, through him, to the Ministry for the application of Ministerial policy to the branches of administration controlled by his Department, and the final adviser of the Minister and the Ministry on all administrative questions.

within his Department's purview. It is not suggested that on technical or even administrative questions a Minister should be precluded from consulting Experts or other departmental officers but we consider that ordinarily the Secretary should be associated with such consultations and that in any event final decisions on matters so discussed should not be taken without giving him an opportunity of expressing his views. Apart from the general considerations which we have already urged in favour of this practice, we feel that its adoption is essential if the Secretary is to discharge his statutory responsibility of bringing to the notice of the Minister concerned and of the Governor General any matter appertaining to his Department which involves or appears likely to involve any special responsibility of the Governor General.

6. It is a corollary of the recommendations made by us regarding the status and functions of the Secretary in relation to the Minister that the post of Joint Secretary should disappear. At present the Joint Secretary functions as Secretary in relation to the subject allotted to him in a Department. Such a division of administrative responsibility and of responsibility to tender advice would be incompatible with the unity which, for both these purposes, we consider to be essential.

7. As already stated, his political and parliamentary preoccupations will leave the Minister little time to attend personally to the details of administration. This consideration appears to us to necessitate to classification of the business to be submitted to the Minister which, while ensuring that all matters of major importance will be referred to him, will leave the Secretary free to deputise for him in other matters. We accordingly recommend that the following classes of business should be submitted to the Minister :—

- (1) Cabinet business, that is, business which, under the rules, must be brought before the Cabinet or about which the Minister may wish to consult the cabinet.
- (2) Business which is likely to have political repercussions.
- (3) Parliamentary business.
- (4) Patronage (according to a schedule).
- (5) Any other class of business which, in the opinion os the Secretary, is of sufficient importance to be submitted to the Minister.

Our last proposal leaves a considerable amount of discretion to the Secretary but that seems to us to be inevitable. Unless Ministers wish *all* business to be put up to them for orders, in which case they will either be overwhelmed or the disposal of business will be liable to be very much delayed, they must leave to someone else the responsibility for determining what business outside the specified categories should come up to them, and that responsibility can obviously be entrusted only to the Secretary as administrative Head of his Department. As we contemplate that the Secretary should

be in close personal touch with the Minister and should keep him informed orally of everything of importance that may be going on in the Department, there is no reason why the arrangement proposed by us should not function satisfactorily and without detriment either to the responsibility of the Minister to his colleagues or to the collective responsibility of the Cabinet.

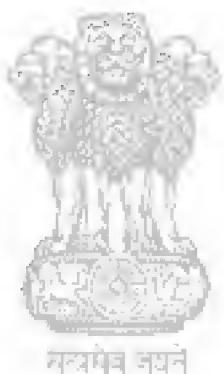
8. Under Federation, Secretaries will not be members of either House of the Federal Legislature. But their knowledge of the business of the Departments will be constantly in demand in connection with parliamentary business whether in the Legislature or in Committees.

A Secretary must, therefore, be available to his Minister outside his office—a condition which can be satisfied without detriment to the administration only if he is assisted in the Department by officers qualified by ability and experience to dispose of matters of minor importance themselves and, as regards matters of major importance, to submit the material needed for the passing of orders in a form which should ordinarily make it unnecessary for him or, if the matter is one which has to be submitted by the Secretary to the Minister, for the Minister to add anything save the minimum of comment. We have attempted to make proposals to this end in the other sections of our report, principally in the chapters dealing with Departmental organisation (III) and with Procedure (V).

9. Before concluding this chapter, we wish to make one general point which we consider to be of vital importance. In the business of Government, no less than in other branches of organised and complex activity, some division of labour is necessary to ensure efficient and successful working. The proposals which we have put forward to define the relations of the Minister and the Secretary have been devised solely with such an object. Nothing has been further from our intention than to question or limit in any way either the ultimate collective authority of the Ministry over the whole range of administration within the Ministerial field or its collective responsibility for every act of administration. Such functions of advice as we have assigned to the Secretary carry their justification on the face of them; Ministers whose experience has been, in the main, political will need the advice of experts in administration before they can finally determine the administrative feasibility of a particular policy. The power of disposal of business that we have envisaged for Secretaries is, in its strict constitutional sense, by way of delegation from the Ministry, or in its immediate derivation, from the Minister. Without such delegation, the joint pressure of parliamentary and administrative duties will prove too heavy for any Minister to carry for long. If we have not attempted to make the categories of devolution either exhaustive or too precise, it is because we have been anxious to avoid imposing upon a constitutional experiment in its early years, when the need of flexibility is paramount, a rigid regime of rules.

Moreover, we are emphatically of the opinion that the machinery of administration will not function smoothly unless the relations

between a Minister, who will be the political head of his Department, and the Secretary, who will be his Chief of Staff for administrative purposes, are relations of mutual confidence and trust. The growth of such relations is like to be hindered rather than encouraged by any scheme of rules which makes the division of labour between them too precise or mutually exclusive.



## CHAPTER II

### THE CONSTITUTION OF DEPARTMENTS UNDER FEDERATION

10. The regular Secretariat departments which provide the framework into which the departments of the future Federal Government would have to be fitted are—

Defence,  
External Affairs,  
Home,  
Finance,  
Legislative,  
Commerce,  
Education Health and Lands,  
Industries and Labour.

The first two will be within the discretionary field of the Governor General, while the last six will lie in the Ministerial field. The Legislative Assembly Department under the control of the President of the Legislative Assembly is regarded at present as partaking of the nature of an ordinary Secretariat department. This is an unnatural and anomalous position for such an organisation and it should cease to be treated as a department of the Secretariat. On other grounds, neither the volume nor the variety of the work in the Imperial Council of Agricultural Research justifies its present separate position as practically the equivalent of a Secretariat department. Its administration could be conducted by one of the regular Secretariat departments with some economy of expenditure and without loss of efficiency.

11. Section 9 of the Government of India Act contemplates the constitution of a Council of Ministers not exceeding ten in number. It is extremely likely that the number of Ministers will exceed six, the number of the existing regular Secretariat departments covering the Ministerial field. As indicated elsewhere, too, the scheme set out in this report would necessitate the formation of more, or virtually more, departments than exist at present. A study, in the light of the new constitution and particularly of the 7th Schedule of the Act, of the subjects forming the scope of the existing departments discloses no clear manner of constituting departments which is not open to some objection or other. Also, the future position of the Home Department seems to be specially uncertain. Some of its present subjects could, and perhaps should be made over to the Legislative Department. For present purposes it can be assumed only that there will be a Home Department.

12. Taking all considerations into account, the most suitable number of departments for the future Ministerial field appears to be nine, viz. :—

Home,  
Legislative,  
Finance,  
Development,  
Overseas,  
Commerce.  
Scientific,  
Labour,  
Communications.

The last six of these would to all intents and purposes be constituted by a re-arrangement of the duties at present assigned to the Commerce, Education, Health and Lands and Industries and Labour Departments.

13. "Overseas" would be a comparatively small, though important, department. Combined with "Labour", to which it would be most akin, it would create again an unwieldly charge. However, if it were desired to reduce the total number of departments to eight, it is the "Overseas" Department which would have to be doubled up with some other department, and that other department would have to be "Labour", resulting in an "Overseas and Labour" Department. In this case it might be possible to transfer "Printing and Stationery" or "Public Work" from the Labour Department. The former would then have to go to the "Commerce" Department or the latter could perhaps be attached to the "Development" Department.

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14. The suggested scope of the new departments on the basis of the subjects as set out in the present Rules of Business is given in Annexure A of this report. (In due course these subjects should be reworded as far as necessary to accord with the nomenclature of the 7th Schedule to the Act.) The division has attempted to follow a natural grouping of subjects and in general to produce an approximately equal size of department. "Broadcasting" and "Meteorology" have been attached to "Scientific" instead of to "Communications" to which they might be regarded as having affinities. "Ports" have been assigned to "Communications", although "Merchant Shipping" has been given to "Overseas". The Development Department would *inter alia* deal with most of these matters which will inevitably arise in connection with the co-ordination of regular provincial subjects.

15. The Scientific Department is likely by itself to be one of the smaller departments and partly by reason of this it would be convenient to include within its scope the activities of the Imperial Council of Agricultural Research just as it is proposed to include

in that department "central research" in Medical and other subjects otherwise dealt with in the Development Department. A Deputy Secretary and an Under Secretary working under the Secretary, Scientific Department, could readily replace the present Vice-Chairman and Secretary of the Imperial Council of Agricultural Research.

16. It would to some extent be extravagant to constitute the nine separate departments with nine separate Secretaries much in advance of actual necessities, but until something on these lines is done it would have to be recognised that the Commerce, Education, Health and Lands and Industries and Labour Departments are more than single departments justifying the retention of a grade of Joint Secretary.

17. In the meanwhile, however, it might be regarded as advisable, in order to prepare the situation as fully as possible for the inauguration of Federation, to constitute clear avowedly double departments (each with a Secretary and a Joint Secretary) so that on the introduction of Federation they could be split up at once into separate departments, *i.e.*, into those which we have proposed. There would be a material advantage also in this change inasmuch as the intermediate period would test the adequacy or otherwise of the officer staff which is proposed in this report. Adjustments of small groups of subjects are always liable to involve fractional charges which are likely eventually to be uneconomical. If such an intermediate adjustment were made, a double department should be arranged so that each of its two single departments constitutes complete noting sections of the office. We would add that some of the adjustments we recommend are desirable independently of the question of Federation as they would reduce the anomalies involved in the present distribution of work.

18. The doubling up of the nine departments, which would avoid a specially unwieldy "Commerce and Communications" Department and which would otherwise cause the least dislocation of the present position, would be—

"Development" and "Overseas"—(mainly present Education Health and Lands Department).

"Commerce" and "Scientific"—(mainly present Commerce Department).

"Labour" and "Communications"—(mainly present Industries and Labour Department).

The Imperial Council of Agricultural Research would continue with its present status under the Member in charge of "Development and Overseas", to be transferred in due course to the "Scientific" Department. The Railway Board could, if thought desirable, continue to be responsible to the Member in charge of "Commerce and Scientific".

19. In order to arrive at this position the following transfers of subjects would have to take place :—

Education, Health and Lands Department becoming Development and Overseas Department would transfer to Commerce and Scientific Department—

- (ii) Oriental languages,
- (iii) Records,
- (iv) Books and publications,
- (vi) Archaeology and Epigraphy,
- (vii) Arts and Museums,
- (ix) Medical Research,
- (xii) Survey of India,
- (xix) Central agencies for research,
- (xx) Botanical Survey,
- (xxi) Zoological Survey,
- (xxiv) Cinchona,
- (xxv) Imperial Library.

Commerce Department becoming Commerce and Scientific Department would transfer to—

Development and Overseas Department—

- (a) Lascar seamen,
  - (b) Merchant shipping,
- and to—

Labour and Communications' Department—

- (c) Ports,
- (d) Lighting of coasts,
- (e) Inland Navigation.

Industries and Labour Department becoming Labour and Communications Department would transfer to—

Development and Overseas Department—

- (xxv) Irrigation,
- and to—

Commerce and Scientific Department—

- (i) Development of Industries,
- (ii) Industrial exhibitions in India,
- (iii) Geological Survey of India,

- (vii) Patents and Designs,
- (viii) Copyright,
- (xiii) Stores,
- (xvi) Meteorology,
- (xx) Broadcasting.

Home Department would transfer Census to Commerce and Scientific Department. Also the Industries and Labour Department should transfer Ecclesiastical to the Defence Department. In fact, whether the remaining adjustments are done or not, there seems no reason why this last adjustment should not be effected more or less at once.

20. If it were decided that even as an interim arrangement full effect need not be given to the suggestions in paragraphs 17-19 above, it might still be considered desirable, in view of past pronouncements, to bring together under the charge of one Member the subjects which would constitute the future Communications Department. The Posts and Telegraphs group, Civil Aviation and Roads are at present dealt with in the Industries and Labour Department, while the smaller group of Ports, Lighthouses and Inland Navigation is part of the work of the Commerce Department. Omitting consideration of Railways so far as secretariat changes are concerned, it would be more convenient to transfer the work done in the Commerce Department to the Industries and Labour Department than *vice versa*. This would result in effect in the formation of the Communications and Labour Department suggested above. The present Industries and Labour Department would have to transfer its Industries group to the Commerce Department and probably shed some of its Scientific subjects. The combination of Commerce and Industries is a natural one and would eliminate some overlapping of work. On the supposition that there would be no increase of Members we considered the alternative of a Department of Commerce and Communications. With Industries, this would make a very unwieldy charge while without Industries another sound reform would unfortunately be missed. Equally a portfolio of Commerce, Industries and Labour would be an unmanageable charge.

21. We would add, however, that it is impossible under any scheme to form a complete Communications Department, i.e., one which will fulfil the object which most of the non-official advocates of a Communications Department have in view, and bring Railways within the sphere of the Department dealing with roads and other forms of transport. The placing of both under the same Member, though it would produce some co-ordinating effect, involves no element of departmental union. The presence of the Railway Board makes the creation of a single department impracticable, and the creation of the Federal Railway Authority will make it finally impossible to secure any departmental unity. The only step we can suggest which would effect some element of co-ordination would be to make the Secretary for Communications an ex-officio member of the Railway Board. He would attend their meetings and see the files put before the Board collectively but would take no part in the ordinary administrative work of the Board.

## CHAPTER III

### THE INTERNAL ORGANISATION OF DEPARTMENTS

#### (1) OFFICERS

##### *Classes and functions*

22. The regular grades of officer in each department under a single Secretary should be Deputy Secretaries and Under Secretaries. A Deputy Secretary should be what his designation implies, *viz.*, an officer who acts on behalf of the Secretary. He should dispose of the majority of cases of his own volition. He should use his discretion as to whether he should take the Secretary's orders on the more important cases and, if so, whether, orally or by the submission of papers. The oral method should be adopted as often as possible. In the class of case which has to be submitted to the Governor General or to the Minister, the Deputy Secretary would invariably submit the papers to the Secretary.

23. With the exception of inter-departmental references, with which either the Deputy Secretary or the Secretary had dealt at a previous stage, the grade of the Under Secretary should ordinarily initiate action on all inward communications, but he should not hesitate even at that stage to bring a receipt immediately to the notice of the Deputy Secretary for any instructions which the latter might wish to give. The Under Secretary should dispose of minor cases of his own volition. More important files he should submit to the Deputy Secretary in such a form that in ordinary course the Deputy Secretary should be enabled to deal with the case quite briefly. Under Secretaries also should attempt to reduce as far as possible the number of files to be formally submitted to the Deputy Secretary by taking the latter's verbal orders in appropriate cases. We consider that one of the great losses in recent years in the working of Secretariat Departments is the practical disappearance, due to various causes, of the summary and draft of the efficient Under Secretary.

24. The Secretary would of course be at liberty at any time to give general or specific instructions for certain cases or classes of cases to be submitted direct to him by office or by the Under Secretary or direct to the Deputy Secretary by office. He would keep himself in touch with the work of his department by receiving weekly summaries describing the nature of cases disposed of by Deputy Secretaries and Under Secretaries and the manner of their disposal.

25. Every Secretary should have at least one Deputy Secretary under him and as many more as the volume and nature of the work of the department might justify. Each Deputy Secretary should have at least one Under Secretary under him and usually more. The final organisation should be for each noting section of the office to be in the charge of a single Under Secretary, but the general supervision and management of the office should be an additional charge of one of the Under Secretaries and preferably of an Indian Civil Service officer. Ordinarily, there should be no grade of Assistant Secretary.

The present officers holding these posts by direct promotion from the office should, however, continue to retain this designation, but their posts should in due course as they retire be automatically replaced by posts of Under Secretaries.

26. The conception of each department in complete charge of a single Secretary leads to the natural elimination of Joint and Additional Secretaries, although the Finance Department with its distinguishable revenue side, which could not be constituted into a separate department, may require to have permanently a unique grade of one or other of these officers. It is evident, however, that in some of the existing Secretariat departments no mere increase in the number of Deputy and Under Secretaries would result in manageable Secretaries' charges on the plan of this report. Consequently, until some of the existing departments are broken down into smaller units, the class of Joint Secretary submitting cases direct to Members or Ministers will have to continue.

#### *Strength*

27. It would be vain to attempt to arrive at the strengths of the various departments at the final or intermediate stages visualised in the last chapter. But in order to introduce the general scheme of work set out in this report some re-adjustment of the officer grades in the departments as they exist would have to be effected. Some of the existing posts of Joint Secretary should be replaced by posts of Deputy Secretary (a grade of officer, as described later, of possibly more seniority than at present) while there should be a considerable strengthening at the level of Under Secretary.

28. The present officering of the departments, taking into account temporary posts, is as follows:

	Secretary and Additional Secretaries.	Joint Secretaries.	Deputy Secretaries.	Under or Assistant Secretaries.
Defence	...	1	...	1
External Affairs	...	1	1	2
Finance	...	1	1	1
Home	...	1	1	2
Legislative	...	1	2	1
Commerce	...	1	1	1
Education, Health and Lands	...	1	1	1
Industries and Labour	...	1	1	3
Imperial Council of Agricultural Research.	1	...	1	...
Total...	9	8	13	16

It is assumed above that the Legislative Department has one, and the External Affairs Department two officers at present in excess of their normal requirements.

29. Existing departments should readjust their officer grades as soon as may be to the following plan—

	Secretaries.	Joint Secretaries.	Deputy Secretaries.	Under or Assistant Secretaries.
Defence ... ... ...	1	...	1	1
External Affairs ... ...	1	...	1	2
Finance ... ... ...	1	...	2	4
Home ... ... ...	1	...	3	4
Legislative ... ... ...	1	1	1	1
Commerce ... ... ...	1	1	1	5
Education, Health and Lands ...	1	1	2	5
Industries and Labour ...	1	1	2	6
Imperial Council of Agricultural Research.	1	...	1	...
Total ...	9	4	14	28

The post of Joint Secretary in the Legislative Department is the special post of Draftsman and would continue. The other three Joint Secretaries' posts would in due course become full Secretaries' posts. The post of Secretary in Imperial Council of Agricultural Research would eventually disappear. It may be necessary to retain at present the excess posts referred to in the last paragraph. No cognizance has been taken in this and the last paragraph of any special arrangements which may be necessary in the Finance Department with reference to its revenue side.

30. As the transfers of subjects indicated in paragraph 19 would not affect the total volume of business, they should not in general affect the totals of the officer grades set out in the previous paragraph. It is conceivable, however, that at that stage and perhaps in due course some still further strengthening may be necessary in the grade of Under Secretary. However, after the accomplishment of the intermediate stages, the final constitution of the full nine Ministerial departments should not be accompanied by any increase of officer staff. The only change to be effected then would be to transform three posts of Joint Secretary into three posts of full Secretary.

## (2) MINISTERIAL STAFF

### THE FUNCTIONS OF THE OFFICE

31. The Wheeler Committee have remarked in para. 37 of their report on the fact that the secretariat system in India is based on "a transitory cadre of a few superior officers controlling a permanent but less qualified office". Such a system presupposes a high degree of co-operation between the officer and his office and indeed it is a necessary condition of the tenure system as applied to the higher appointments that an officer should be able to rely on his office to supply him with such material as he may need for the constructive work which he is required to do and to assist him in preserving continuity of administration.

32. Since the report of the Llewellyn Smith Committee, with its remarks on excessive and irrelevant noting by the office, certain attempts have been made to correct this fault but not much attention has been paid to the more positive side of the matter, *viz.*, the need of improving the performance of the office in other ways. Without this mere elimination of office work from the files would practically limit their functions to the putting up of references and officers would be left to do all the substantive work on a case with very little assistance. If this were really the position intended there would be no justification for retaining a highly paid Upper Division staff, since the work of putting up papers could equally well be done by lower division clerks. But such a system could not be worked without a very much larger increase in the staff of officers than we have proposed, and even now the higher officers would be less overburdened if they did not have to spend a considerable proportion of their time in doing work which could and should have been done by the ministerial staff. Long office notes and duplication of noting are no doubt undesirable but the remedy is not to debar the office from functions which it can quite well perform but first to direct its work as proposed below and secondly to eliminate from the file work of an intermediate character, as explained in the chapter on procedure. It should, indeed, be regarded as an axiom of proper and economical office organization that higher grade staff should be employed as little as possible on work which can be done equally or sufficiently well by lower grade staff; and until the functions which can properly be expected of the office are satisfactorily determined it is possible to discuss with any finality either the strength of the officer staff or the strength, qualifications and remuneration of the ministerial staff of the Secretariat.

33. In order that the office should not be left without direction, except within certain well understood limits, the first principle to be observed is that all receipts should first be submitted to an officer, who should then pass orders as to how the case should be dealt with. This requirement will not be met by a mere order to examine generally but it is intended that a definite indication should be given of the substantive

action to be taken. It would, however, be a waste of the time of the officer dealing with receipts to expect him to give minute instructions to the office for action which, with any proper understanding of its duties, it should be capable of performing without special guidance. It must also be remembered that without a detailed acquaintance with the subject or the precedents a junior officer may not always be in a position to know exactly what help the office will be able to give in any particular case. Within certain limits to be laid down, therefore, the office should be given a definite responsibility for making its experience available to the officer. For general guidance, therefore, we propose to divide the functions of the office into two classes, *viz.*,

- (a) those to be carried out automatically on any case sent to office, and
- (b) those to be performed only by direction of an officer.

34. Annexure B of our report contains a list of functions classified under these heads. The functions placed in class (a) are mainly concerned with facts (in a broad sense of the word) and we would stress the point that in supplying such material the office is not expected to put it in the form of a note in the narrative style which has now become traditional. The elimination of this tradition might do much to correct the tendency which is so noticeable in Secretariat files to reproduce the paper under consideration and to avoid statements of fact as such. In a very large proportion of cases disposal is a comparatively simple matter when the facts are clear and it should be regarded as primary duty of the office to see that all relevant facts are readily forthcoming. All the various items of work listed under class (a) will not of course arise in each case. It will be for a trained office to decide which are applicable in the absence of specific directions.

35. The functions falling under class (b) can only be stated in broad terms since their exact nature will depend on the directions given. An exception to the general rule may, however, be allowed in cases, such as establishment cases, which involve the study and analysis of a large mass of facts, figures or rules. These may be referred to the office for general examination.

36. It will be noticed that drafting is definitely included among the functions of the office. It should not be necessary for a highly paid officer to spend his time in drafting routine communications or in originating drafts in other cases where the material already exists on the file. It is largely for this purpose that men of superior educational qualifications are recruited and paid and an Assistant whose drafting does not come up to the required standard should be regarded as unfit for promotion.

37. It will be observed finally that it is not one of the functions of the office, as we see them, to criticise the proposals received or to make suggestions for action in other than routine cases, unless this is implied in the directions given. Ordinarily it is reserved for the officer handling the case both to criticise proposals and to initiate action.

### *Organisation and strength*

38. It will be clear from the preceding section that the office will retain an important and useful place in our scheme of internal organization. It is because we recognise that there will be ample scope for a high grade of work that in dealing with recruitment we have thought it necessary to devise means of obtaining a superior grade of recruits and of making the Secretariat Service attractive to them. At the same time our other proposals ,which will have the effect of placing the sections more immediately under the control and guidance of an Under Secretary, make some advance on the existing organization both possible and desirable,

39. At present the typical section consists of (1) a Superintendent, who is himself responsible for the work of the whole section, which must therefore necessarily be small; (2) Assistant, First Division, who deal with cases; (3) Clerks 2nd Division, who are recruited for the most part in the same way as Assistants and also deal with cases and (4) Clerks, 3rd Division, who are intended mainly for routine work but are sometimes promoted to the Second Division. Thus the substantive work of a section is performed by men of very unequal qualifications and at any rate some of them cannot be entrusted with important work or drafting or be allowed to submit their cases direct to an officer.

40. The first reform which we would suggest is that clerks should be recruited only for routine work and, as we have explained later, should not be eligible for promotion to the grade of Assistant. All clerks should be included in a single "General and Routine" branch under a separate Superintendent. Those required for sectional routine may be attached to the several sections and the rest will work as a separate branch, the scope of which will depend to some extent on the internal arrangements of each Department but will in any case comprise all mechanical work. We should, indeed, prefer to see routine work of all kinds centralised as far as possible in each department rather than distributed among the sections, as this conduces to efficiency and economy of staff and also removes a source of distraction from the rooms where substantive work is being performed. Even in the case of indexing, which is now carried on in the sections, there is much to recommend the system of a central Registry where this work would be kept regularly up to date. This is however a large and rather special subject which does not greatly affect our other proposals and we have therefore not attempted to deal with it fully in this report.

41. With the relegation of clerks to their proper sphere the sections may be constituted in terms of Superintendents and Assistants only. There is no need to retain the present distinction between First Division Assistants and Second Division Clerks. All will be engaged in similar work and only staff of the highest qualifications should be regarded as competent to perform it. The division of Assistants into two separate grades, which we propose elsewhere, will be for the purpose only of regulating pay and promotion.

42. The establishment of this position will at once make a further advance possible. In a section staffed only by properly qualified men and working in conjunction with an Under Secretary the necessity of the present system by which the whole work of the section is submitted through the Superintendent will disappear. The Superintendent will continue to distribute cases among his Assistants and to control and supervise their work generally, and his longer experience of the work of the section should be used in giving them orally such guidance as may be necessary. But unless ordered each Assistant should submit his finished work directly to the Under Secretary. The Superintendent will thus be free to devote himself to cases of particular importance including any which may be entrusted specially to him by the Under Secretary. He will also be able to supervise a larger number of Assistants than now. We thus contemplate that when the staff has been fully organised on these lines each future section will roughly represent two existing sections and that the normal strength of a section will be one Superintendent and about six Assistants. Each of these reorganised sections will ordinarily submit work to a separate Under Secretary.

43. The process of replacement of the existing staff, or such portions of it as do not possess the standard qualifications, will of course be gradual, but as it advances a numerical reduction of posts on the basis of existing work will necessarily follow. As a working formula to enable the reduction of staff to be carried out progressively we would reckon that each Assistant on the present staff is the equivalent of two of the existing Second Division clerks and that in future two of the new Assistants will be equivalent to three of the present Assistants. By way of illustration we have applied these principles of calculation to the effective strengths of five of the existing departments with the following results. The number of future Superintendents shown includes provision for the superintendence of the General and Routine Branch of each department :—

	Present.				Future.				Clerks.
	Sections.	Superintendents.	Assistants.	2nd Division Clerks.	Sections.	Superintendents.	Assistants.		
Home	... ... ...	7	6	27	24	4	5	26	Nil
Commerce	... ... ...	7	5	24	24	4	5	24	"
Finance	... ... ...	7	7	28	20	4	5	26	"
Education, Health and Lands	...	7	6	30	29	5	6	30	"
Industries and Labour	...	10	10	43	37	7	8	40	"

## CHAPTER IV

### THE STAFFING OF DEPARTMENTS

#### (1) CHANCING CONDITIONS

44. It is not possible to form a correct estimate of the needs of the Government of India in respect of Secretariat officers without an adequate appreciation of the fact that the last twenty years have seen a very great change in the nature of the work which has to be done, and that a further transformation will be effected by the introduction in turn of provincial autonomy and of Federation.

45. Prior to the Montagu-Chelmsford Reforms the line separating the work of the Central and the Provincial Governments was, in effect, a horizontal one. The spheres peculiar to either were unimportant, and over the bulk of the field both exercised responsibility. In general, policy lay to a large extent with the Central Government and administration with the local Governments, but the former was the official superior of the latter in all subjects. It was a Government of the Governments in India rather than a Government of India, as it directed and supervised the work of the other Governments and administrators. It was this factor, more than any other, which provided both the need and the justification of a system whereby the officers were lent for short periods by the provinces to the Government of India, which possessed hardly any permanent officials in the higher ranks. The officer coming from a province brought administrative experience and practical knowledge of subjects with which the Central Government was concerned and, when his tenure was completed, he was able to return to administration with a deeper insight into those subjects and a better understanding of the purposes which his administrative duties were intended to fulfil.

46. With the Reforms of 1920, the line of demarcation between centre and provinces became, to a considerable extent, a vertical one. Over a large part of the field, the provinces became virtually autonomous. Over another large part they remained subject to central control but in practice, in respect of most of the reserved subjects, the control was rarely exercised. In a third part of the field the centre became responsible for both policy and administration and their use of the provincial Governments as agents in this sphere showed a steady tendency to diminish. Thus, instead of policy resting with the centre and administration with the provinces, large steps were taken towards a position where both the centre and the provinces were responsible for both policy and administration, but in different parts of the field. This change will be carried further and crystallized by the new Government of India Act.

47. One result of this change was to reduce substantially the value of the system whereby officers were drawn for short periods from the provinces for the central Secretariat. The officer coming directly from a province tended to find himself, in most departments, in an unfamiliar sphere, dealing with subjects which had not concerned him in the province and with which he would have no concern when he returned. His provincial training was a less adequate equipment than it had been, and his work at the centre was of less value to him in the province.

48. No systematic effort was made to adjust the principles of selection to the new conditions, which had not come into being when the Llewellyn Smith Committee reported and which only made themselves felt gradually after the Reforms. The institution of the grade of Assistant Secretary was, in fact, the only deliberate step towards securing greater permanence in the officer grades and, for reasons indicated later, it was only partially successfull. But there was an increasing tendency to meet the altered situation by retaining officers at the centre. The Foreign and Political Department had always been staffed by officers permanently seconded to the Government of India, and other Departments tended to look less and less to the provinces and increasingly to fill appointments from those already in the Secretariat or in other central appointments. This tendency was accentuated by conditions in the provinces. Faced with the increasing complexity of administration and a serious shortage of officers due mainly to the war, the provincial Governments showed an increasing reluctance to lend officers, particularly officers with expereince of and capacity for Secretariat work.

49. Thus while in theory the tenure system still prevailed over the bulk of the field, the large and frequent interchange of officers between the centre and the provinces gradually decreased. Only in connection with a few subjects—and these were subjects which were primarily provincial—did the old conditions prevail. It is worth remarking in this connection that in part of the Home Department the work resembled most closely the work of a pre-Reform Department, and that in that Department the old system of interchange was largely retained.

50. When these facts are borne in mind and it is remembered that the impending constitutional changes will carry the separation between central and provincial work a great deal further than it has already gone, it might seem that the future Departments should be manned, as Departments in other countries of the Empire are largely manned, by permanent cadres of departmental officials. But the tenure system had and has other advantages than those discussed above, and the aim should be to retain these as far as possible.

51. In the first place, officers of a permanent cadre at the headquarters of Government would tend to lose touch with the life of India. The background of many, in fact most, of the subjects with which the Secretariat is concerned cannot be understood or adequately appreciated by any amount of study at headquarters, or

indeed at any single centre in a country so large and variegated as India. Simla is particularly isolated and New Delhi, though as convenient a centre as can be found, lacks the stimulus afforded by a large commercial and non-official community. The presence of the Legislatures does a little to diminish the detachment, but this is far from sufficient. Contacts between the permanent officials and the members of the Legislature will be less direct when Federation comes. It should be added that the work of the Central Government is largely carried on by intermediate departments, so that officers at the centre do not come into much direct contact with the administrative effects of the policy on which they advise.

52. Further, the presence in the provincial secretariats of officers who have had experience in the central secretariat and *vice versa* would help to provide a link between the Central and Provincial Governments. Unfortunately, in practice the officer reverting from the centre will rarely be selected in future for service in a provincial secretariat, for, with the almost complete separation of the two fields, he will normally be less well equipped for the provincial secretariat than other officers in the provinces. But the officer who has recently served in a district brings to the centre a renewed contact with the great background of the Indian villages, on which all work of importance, wherever it is done, ultimately reacts in one way or another. And in the future conditions, as we envisage them, no link between the centre and the provinces, however small, will be without its value.

53. All these considerations make it most desirable that periods at headquarters should be separated as far as possible by periods to be spent elsewhere, which will increase an officer's touch with reality, widen his horizon and if possible add to his technical equipment. Further there are obvious advantages in ensuring that a substantial number of officers serving in other fields than the Secretariat should possess a Secretariat training and an acquaintance with the outlook, the methods and the difficulties of the Central Government and the Central Legislature. The proposals which follow endeavour to retain the advantages which the tenure system still offers while adapting it to the radical alterations in conditions which have come about since it was originally devised.

## (2) OFFICERS

### *The sources of supply*

54. Five possible sources of recruitment suggest themselves for the officers' grades in the Secretariat, *viz.*, (1) The Indian Civil Service, (2) The Provincial Services, (3) The Central Services (4) Miscellaneous administrative posts under the Government of India and (5) The Imperial Secretariat Service. The grade of Superintendent should, as at present, continue to form part of the last-named of

these classes, although its duties will be altered. The possibilities of recruiting to the next grade, *viz.*, that of Under Secretary, from each of the sources are considered in turn.

55. We are satisfied that the main source of recruitment, as in the past, should be the Indian Civil Service. It is extremely desirable that an officer before appointment to a Secretariat post should have some experience both of the general Indian background and of administrative work and the Indian Civil Service offers by far the best field for the acquisition of these at an early and formative stage of an officer's career. Further the work of the higher officers in the Secretariat demands a wide outlook and the best educational equipment that can be secured. These are the normal equipment of young Indian Civil Service officers, who thus start with advantages that can be equalled only by the exceptional officer coming from other fields. Moreover the work of the central Secretariat is, in a peculiar sense, all-India work and it is one of the primary tasks of a service recruited and serving on an all-India basis. Finally, if recruitment is made at the age we propose later, it should be possible to secure Indian Civil Service officers with some previous Secretariat experience in the province, a very useful qualification.

56. Provincial Service officers share with Indian Civil Service officers the advantage of having administrative experience and some knowledge of the general background. But, for the most part, they have not the equipment of Indian Civil Service officers and they do not normally attain positions corresponding to those held by the Indian Civil Service until a much later age. Normally it is not until middle age that they secure any Secretariat experience in the province or even temporary charge of a district. By that time, they are naturally less adaptable for the specialised work of the central Secretariat. The question of age is important in another way, for if the Under-Secretaries' grade is to be the training ground for higher appointments both inside the Secretariat and outside it, it is important, in order to secure a sufficiently wide field of choice later on, that those who enter it should do so sufficiently early in life. Further, the provincial services differ from all the other sources which have been mentioned in being recruited without any regard to the requirements of the Government of India. Practical and general considerations, therefore, appear to rule out these services as a useful source of recruitment.

57. The inclusion of sources (3) and (4) needs no detailed justification. Officers in them are recruited for work which concerns the central Government, and their training in that work provides a distinctly useful, if somewhat limited, background. It involves, as a rule, dealing with and handling men rather than files, it offers the possibility of experience in differing parts of India and a technical equipment in several of the more difficult and important branches of central policy and administration. This is not equally true of all the services—the work of the Indian Audit and Accounts Service in particular tends to develop a critical outlook and too long a period of service in its lower grades may impair an officer's value

for Secretariat work. But, taken generally, the central services offer field of which much more use could be made than has been done in the past, particularly if they receive, as is proposed later, an infusion of men with previous Secretariat experience.

58. The Imperial Secretariat Service has hitherto rarely thrown up the right type of man for the officers' grade, and recruitment has been virtually limited to the appointment of Assistant Secretaries, a grade of officer which has not proved as successful as was hoped. This lack of success is traceable to three defects in the present system and if these were remedied, the Secretariat should provide a number of men qualified for the officer grades. In the first place, officials of this class have been expected to fulfil the functions assigned to Assistant Secretaries without any experience of the administrative world, which lies, outside the Secretariat. They have thus been severely handicapped for the duties they at present discharge, and officers so recruited would be quite unqualified for the more responsible tasks it is proposed to assign to Under Secretaries. In the second place, appointments have generally gone to superintendents near the end of their service, when their most vigorous years were past and when there was nothing further for which even the best of them could hope. In the third place, promotion has gone largely by seniority and has been looked upon more as a reward for good work in the grade of Superintendent than as a calling of selected men to what should be a very different form of work. The system proposed below is designed to remedy all these weaknesses. It is essential in any event to provide opportunities of promotion to higher appointments in order to secure that improvement of quality in the grade of Assistant which is an important element in the scheme proposed.

59. For the reasons indicated, direct promotion from the grade of Assistant or Superintendent to the post of Under Secretary should be strictly limited to short temporary vacancies; in general, experience of office work alone cannot provide the wider outlook or the capacity for initiative and responsibility which are expected of incumbents of officers' posts in the Secretariat. The most promising Assistants should be promoted at a fairly early age and in no case after attaining 35, to the Central Services or other miscellaneous administrative posts under the Government of India. Here, subject to their proving satisfactory during a probationary period, they should be confirmed. Thereafter they will be eligible, along with other members of the Central Services, for selection for higher appointments both outside the Secretariat and for the Under Secretaries' appointments that are not reserved for the Indian Civil Service. Thus while Secretariat Assistants of special capability will be able to secure careers not now open to them, Government will have an additional source from which to draw for higher Secretariat and miscellaneous appointments. We contemplate that this kind of promotion will be open to about one-sixth of the Assistants recruited, but the proportion will require to be worked out more exactly. The selection for Secretariat appointments should depend solely on fitness; in some instances the superior educational equipment of the man origi-

nally recruited to a central service will tell and in others the prior acquaintance of the ex-Assistants with Secretariat problems and methods.

60. There will thus be in effect two sources of direct supply for Secretariat officers, the Indian Civil Service and the other administrative officers serving the centre. Having regard to the needs of the Secretariat in all grades, to the relative potentialities of these sources and to the present prospects and rights of the categories of officers concerned, not less than two-thirds of the posts in each grade — Secretary, Deputy Secretary, and Under Secretary should be reserved for the Indian Civil Service and the remainder should be available for officers drawn from other sources, subject to paramount consideration that only officers of proved fitness will be appointed. On this basis, both the Indian Civil Service and the Central Services will have to provide a somewhat larger number of officers than they have done in the past.

#### *Tenures and other employment*

61. As already indicated, there should be only three grades of officers, apart from Superintendents, in the Secretariat, viz., Under Secretary, Deputy Secretary and Secretary. Deputy Secretaries should be selected from those who have served as Under Secretaries and Secretaries from those who have served as Deputy Secretaries\*; but there should be no direct promotion either from Under Secretary to Deputy Secretary or from Deputy Secretary to Secretary except for short vacancies. We have already indicated the advantages which the tenure system still offers. We need only add here that if there were no interruptions in Secretariat service, most of the officers would have to spend practically the whole of their careers in the grades of Under Secretary and Deputy Secretary and principally in the former. We accordingly propose that there should be definite tenures, to be followed by periods away from the Secretariat in the case of both these grades ; and, for reasons set out at greater length later, it is proposed to retain the tenure system for Secretaries' posts also,

62. In respect of Under Secretaries, the existing tenure of three years is suitable ; a longer term would diminish the number of junior officers who could acquire secretariat experience early in their service. For Deputy Secretaries the period should be four years instead of three at present. Every tenure in either grade should be followed either by appointment to a central post outside the Secretariat or to a province, and there should ordinarily be no return to the Secretariat until at least 3 years service has been spent elsewhere. This rule should apply both to Indian Civil Service officers and other officers, though reversion to the province must obviously be limited to the former. No exception is necessary : but officers in the Legislative Department would naturally go to judicial appointments rather than executive appointments in the provinces or at the centre. In the case of former

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\*Here, as elsewhere, the references are to the position reached when the scheme is in working order : for some years to come it will be impossible to adhere to this rule.

Secretariat Assistants, a period of at least three years should be spent away from the Secretariat before they are regarded as eligible for selection for Under Secretaries' appointments. I. C. S. and other officers alike will, under the scheme outlined earlier, always have some post, central or provincial, on which, they retain a permanent lien. In the case of non-Indian Civil Service officers, the interchange between Secretariat and other appointments is a simple matter; the position of the Indian Civil Service officers is complicated by the fact that they are borne on provincial cadres and requires more detailed treatments.

63. Indian Civil Service Under Secretaries should be selected from officers in the provinces of between 5 and 10 years service and preferably from those with some Secretariat experience. It is not possible to insist on such previous experience at present, as all provinces do not employ Indian Civil Service officers as Under Secretaries but it would materially help the working of the scheme if all provinces reverted to this practice, and it is to be hoped that the new arrangements in the Government of India will encourage such a course. For the present, recruitment will have to be open to all officers within the limits of service indicated, with a preference for those who are nearer 10 years' service than 5. After completion of the tenure of Under Secretary a certain number of the officers will be required for the permanent cadres in and under the Finance and Commerce Departments, while a few others may be absorbed in other central appointments. Some will return to their provinces, but of these a certain number, based on the probable future requirements, should be earmarked at this stage for central needs. The provincial Government would be informed in each case whether the central Government desired to retain a lien on an officer's services and if they did so desire, the provincial Government would be bound on receiving reasonable notice, e.g., six months, to replace his services at the disposal of the centre. The possibility of friction will thereby be diminished and the officer earmarked will be encouraged to maintain an interest in questions that concern the central Government. A similar procedure should be followed on reversion from the post of the post of Deputy Secretary, but the number of officers who can be permanently released at this stage will be much smaller.

64. We would have preferred not to deal with the question of the tenure of Secretaries, but have been expressly directed to consider it, and as it is one that has presented particular difficulty to us and others, it is desirable to discuss it in some detail. The issue lies between a system of fixed tenures, with or without the possibility of extension, and a system of appointments held permanently, subject to the ordinary superannuation limit, with effective provision for earlier retirement for those who have ceased to discharge the duties of the post adequately. The Wheeler Committee were divided on this point; the two members were in favour of permanency, while the Chairman advocated a fixed tenure of five years. The Sub-Committee of the Executive Council, which considered it in 1934-35, proposed a term of four years with provision for short extensions in special cases, but recognized that the arrangement might have to be altered under the new constitution.

65. In the first Chapter of our report we have described the position of the Secretary as the administrative head of his Department, the principal adviser of the Ministry on questions which fall within his departmental province and, in relation to his Minister, the repository of departmental tradition and practice. In Great Britain and the Dominions, where Ministries are liable to change from time to time, continuity of departmental experience and independence of judgment are considered essential in the official head of a department and are secured by permanency of tenure. It is difficult to see how the efficiency and integrity of the Federal Secretariat in India can be ensured without securing to Secretaries a longer tenure of their office than is provided by the present system and independence, as regards their future prospects, of political or personal influence.

66. Further, every change of Secretary exposes a Department to the risks of discontinuity of direction the disadvantages of which will be accentuated under a ministerial government. Even if a Secretary comes with previous experience of his own Department, which will not always be the case, much will have happened during his absence and he will need time to pick up the threads again. Some dislocation is inevitable, whenever a Secretary leaves a department, but that is no argument for multiplying occasions for it.

67. Finally, it has happened in the past and will happen more frequently in the future, with the increasing specialisation of departmental work, that the best officer available is the one who is vacating the post. No system which precludes Government from selecting him can seriously be contemplated. Logic and practice elsewhere thus point to permanency of tenure as providing the most satisfactory solution of this problem.

68. But there are certain other considerations. Under the scheme proposed, an officer appointed as Secretary will ordinarily have about 24 years' service. Some may reach the grade earlier. Unless the maximum period for which an officer of the Indian Civil Service may serve before he must retire is altered, he would have the option to continue as Secretary for eleven years. There are several considerations which suggest that the age of retirement for the Indian Civil Service should now be re-examined. But this does not fall within our terms of reference; and, so long as the 35 year maximum remains, there is need to provide effective safeguards against a Secretary having a right to retain this important post till the age of retirement, in spite of deterioration due to staleness or other causes. While familiarity with the problems confronting a department is ordinarily of the greatest value, these posts involve considerable strain and demand a large measure of alertness and receptivity, qualities which in many cases are liable to be blunted by too long service. Further, it would be a difficult and often a painful matter to remove an officer, who had had a distinguished career, for diminished competence, a system of tenure has the great advantage of giving an officer no prescriptive right to stay on until his activity is impaired and of involving no reflection upon him if he fails to

secure further employment. Finally, in order to secure a reasonable prospect of promotion and stimulus to competence for younger officers, it is desirable that there should be a fairly regular succession of vacancies ; it would be unfortunate if at least one of the 9 Secretaries' posts contemplated were not finally vacated, on an average, per year.

69. We believe that the system best calculated to conserve the advantages of the tenure system while gaining some of the advantages of permanency is one for the appointment of Secretaries for 5 years with eligibility for reappointment. The longer term will go some way to meet the need for continuity ; the time-limit will be a warning to the officer concerned that he has no claim to be continued in his post or to be provided with another of equivalent status, unless Government consider either course to be in the public interest. And as reappointment to the old or appointment to a new Secretaryship will be for the full term of 5 years, subject to the superannuation limit, it will not involve the same risk of political or personal influences. This means that the officer who, after holding a post as Secretary for 5 years, is not reappointed to that or an equivalent post will ordinarily have to retire. He will not, of course, be precluded from accepting a lower appointment under the Government of India or reverting to his province ; but suitable posts under the Government of India will be few, and the ordinary Secretary will not be well qualified for any post in a province that is likely to be available. In actual fact, no Secretary to the Government of India, in recent years at least, has ever reverted to a lower post in a province : every officer who did not get a higher or equivalent post has in practice retired. There is therefore a difficulty here in that an officer who is selected to be a Secretary may fear that his service will be seriously curtailed by his appointment. But the officer who maintains his efficiency unimpaired should under our proposals have fair prospects of continued employment.

#### *Relations with Provincial Governments*

70. It is desirable at this point to add some observations on the relations between the provincial and the central Government in the matter of lending officers. The Indian Civil Service cadre, though divided into provincial sections, is based on the requirements of both the centre and the provinces, and the practice prevailing hitherto by which the province has almost invariably had the final decision in the matter of lending or withholding an officer's services is in accordance neither with the constitutional position nor with the merits of the case.

71. One basic fact cannot be too strongly emphasised ; the whole scheme of recruitment from the Indian Civil Service to the officers' grade of the Federal Secretariat will break down if the selecting authority cannot obtain from the Provinces not only the number of officers required but also the individual officers whom it considers most suitable for the vacancies to be filled. The problem of numbers can easily be solved by a proportionate strengthening of

the deputation reserve which the Provinces are required to maintain. The problem of securing officers of the right quality is complicated by the possibility of a local Government wanting to retain the services of the officer whom the Federal Government may want, and by the officer himself preferring a career in the Province to a career at the Centre. But the system we propose shoule go far to remove the first difficulty. Even at present, provinces are usually willing to lend suitable officers for Under Secretaries' posts : it is at later stages that difficulties arise. At such stages the possibilities of competition for an officer between the centre and the province will be virtually eliminated by the fact that certain officers will be earmarked for service at the centre. This will also enable local Governments, by selecting other officers for posts whose incumbents cannot easily be spared at short notice, to avoid a difficulty which is apt to arise at present. And we have little doubt that if Provincial and Central claims to the services of an officer came into conflict, the Centre, with its wider field of choice, would do everything that lies in its power to meet its requirements from some other source. If such an effort failed we consider that the Governor General should use his power to require a local Government to spare the services of the officer whom he wants whether for the post of Under Secretary or any higher post.



72. Any other position will inevitably lead to a progressive and serious deterioration in the quality of the personnel at the Centre : for there will be a natural desire on the part of all Provinces to keep their best men. No Federal Government could view the grave effect of such a tendency on the efficiency of the centre of its administrative system with equanimity and, in our opinion, the only alternative open to the Government of India in the face of such a possibility, would be to devise means of recruitment to a separate self-contained cadre of their own. We realise the comparative disadvantages of such an arrangement. It will not secure men who have served their administrative apprenticeship in the district—an experience to which, for reasons already explained we attach great value. It will render more difficult the provision of opportunities for an officer, after a term of service in the Secretariat, to renew contact with administration more difficult. It will greatly curtail the scope for the retention of the tenurial system which we have recommended; the field offered by the Central Services and miscellaneous posts under the Central Government will be too narrow to provide for a large interchange between the Secretariat and the arena of district administration. But if the alternative to these drawbacks is an uncertainty of supply of men of the requisite calibre, they must be faced as constituting the lesser evil.

73. We would point out that if the Centre were forced to adopt the system of a separate cadre the provinces would also stand to lose. The wider outlook and the specialised training which an officer will take back with him to his province after a period of service in the Central Secretariat cannot be devoid of all value to Local Government ; at the very least it would enable that Government to

have a clearer appreciation of the view, the methods and the difficulties of the Centre than could be supplied by officers whose experience has been entirely provincial. Moreover, the appearance of the Government of India as a competing recruiting agency cannot fail to lower the quality of recruits whom the Provinces will be able to secure; the prizes in the Federal field will be more numerous and the careers more varied than any Province would be able to offer and there is little doubt that better candidates will prefer a career at the Centre from the outset, whether the selection for the two Services be joint or separate.

74. We have mentioned the reluctance of an individual officer to transfer from the Provincial to the Federal field as another possible obstacle to the Federal Government securing the services of the man they want. We do not, however, look upon it as an obstacle as serious as the unwillingness of a local Government to part with him. An officer's personal wishes cannot be allowed to override the claims of the public service and while Government would naturally endeavour to meet them so far as this can be done consistently with the public interest, the exigencies of the public weal must be paramount.

#### *Selection and training*

75. In the Finance Department Despatch of 15th October 1936 a special Establishment officer has been proposed for the purpose of operating the system which is there described. The duties there contemplated will not constitute a full time task and he should be able to fulfil the same functions in regard to other Departments. It should be his duty, in the first place, to keep himself fully informed of possible recruits, both Indian Civil Service and others to the grade of Under Secretary. For this purpose he should have a right to obtain any information he may require about any officer in the provinces with a view to considering whether he is fit for such an appointment. He should keep in close touch with the Chief Secretaries of provinces for this purpose, preferably visiting their headquarters and interviewing possible candidates. It would probably be a convenience to the provinces if all correspondence regarding the selection and reversion of Indian Civil Service Officers in connection with Secretariat or other appointments were conducted by the Establishment Officer. Being in touch with all Departments he would be in a position to keep his eye on probable future requirements and to ensure that Provincial Governments received as long notice as possible of impending vacancies. In the case of officers in the Central Services, the Establishment Officer would similarly keep in touch with the heads of their Departments.

76. After officers have been selected as Under Secretaries, the Establishment Officer should maintain full records of their work both for the periods spent in the Secretariat and for the periods spent outside. During the periods spent inside the Secretariat he will come into contact with the officers personally and he should receive annual reports from the Secretaries under whom they are working. For the earmarked officer who are serving in the provinces or in

Central Departments, similar reports should be secured from the Governments and heads of Departments concerned. The Establishment Officer would thus be able, on each occasion that a selection had to be made, so put forward the names of all who were qualified for the appointment and to submit detailed records of their previous careers.

77. The material so secured should be dealt with by a Selection Board whose duty it would be to recommend individual officers for appointment. The Selection Board should consist of three Secretaries to Government to be appointed by His Excellency in his direction, together with the Secretary in the department concerned, if he is not already a member of the Board.

78. An officer coming from outside the Secretariat, even if he has had previous Secretariat experience in the provinces or in the capacity of an Assistant some previous experience, within the Secretariat, will not ordinarily be able to undertake the responsible duties which it is proposed to assign to Under Secretaries without some previous preparation. The work of the Secretariat is becoming increasingly technical and he will require some time to familiarize himself with his duties. For this purpose it is desirable to create an additional grade of Attaches in the Secretariat which would consist virtually of supernumerary Under Secretaries who have not yet entered on their regular duties. Ordinarily a period of six months in this grade would be desirable. Under Secretaries should thus ordinarily be recruited about six months before the occurrence of the vacancies which they will be required to fill. During this period an Attache will be employed partly in a course of reading of books and documents bearing on the subjects with which he is expected to deal. He should also be required to study all the current files in the branches which are likely to be assigned to him and possibly in others seeing them preferably after orders have been passed on them. He will thus familiarize himself both with the work and the procedure of the Secretariat in general and of his department in particular. The Secretary in the Department concerned, who will mainly be responsible for ensuring that the Attache has made proper use of his period in that appointment, should be able to assign special substantive duties to him such as drafting on selected cases, but such work should be strictly limited in character and should be selected more with a view to its educative value than with a view to the relief it may afford to other officers.

#### *Pay and leave*

79. The proposals already made involve the substitution, sooner or later, of 3 posts of Secretary for the existing posts of Joint Secretary. We do not think, however, that the number of appointments on the pay of Rs. 4,000 should be increased, and any addition to the number of Secretaries should take the form of posts on Rs. 3,500 per month. This scale should not be attached to particular Secretaryships, which should rank equally, but should be held by the most junior officers in the grade of Secretary, who would thus normally advance to Rs. 4,000 as vacancies occurred.

80. The present pay of the Deputy Secretary for Indian Civil Service officers is the senior time scale of pay plus a special pay of Rs. 400. This is a subject to a maximum of Rs. 2,250, exclusive of overseas pay which represents the pay of the 16th year of service. The proposals already made will probably render it desirable to have Deputy Secretaries who will, on the average, be senior to those who have held the appointments in the past, and it is therefore proposed that the maximum should be raised to Rs. 2,450, which corresponds to the 19th year of service. Non-Indian Civil Service officers promoted to the grade of Deputy Secretary should similarly receive their regular pay plus the same special pay and subject to the same maximum.

81. The pay of Under Secretaries at present is the junior time scale of the Indian Civil Service *plus* Rs. 300. This creates difficulties in that Under Secretaries of the appropriate seniority would be drawing, for part at least of their tenure, the senior time scale if they were in their own provinces; and, here also, we would expect and hope to see Under Secretaries of a somewhat higher average age than at present. It is therefore, proposed that, after the completion of the 8th year of service, or in any case whenever the officer next below an Under Secretary in his provincial cadre is drawing pay on the senior time scale with an allowance of Rs. 150. This should be subject to a maximum, exclusive of overseas pay, of Rs. 1,650 which corresponds to the 13th year of service. Non-Indian Civil Service officers should also draw their regular pay with the same allowance and subject to the same maximum. For Indian Civil Service officers who have not completed 8 years' service we propose to retain the present rate of remuneration. The special pay for Attachés should be Rs. 100 a month.

82. We would like to make it clear at this stage that the schemes of recruitment tenure and pay proposed above should apply to all Secretariat Department of the Central Government and not merely to Departments operating within the ministerial field.

83. We consider it important that officers should have adequate and not too infrequent leave. The present system whereby the majority of the officers and the staff work all round the year and even for several years on end without any other leave than casual leave is definitely detrimental to efficiency. All Secretariat officers should as a matter of course be expected to take short leave, *i.e.*, leave not exceeding one month every year. Long leave *i.e.*, leave exceeding one month, should be permissible, in addition, for all officers except Under Secretaries. But a Deputy Secretary should not ordinarily be allowed more than one period of 4 months leave during his period of 4 years' tenure, and a Secretary should not be allowed more than 6 months' long leave during his 5 years' tenure.

### (3) MINISTERIAL STAFF

#### *Recruitment and training*

84. As already indicated, the ministerial staff should be divided into two main grades, *viz.*, Assistants and Clerks. The former will be

required to attain a higher standard than the present Assistants while the latter, with few exceptions, will be confined to routine duties. In the case of clerks the maximum age of recruitment should be reduced to 19 years as there will be no need for qualifications of the university type. In the pay scale proposed later, the lower age of recruitment has been taken into account.

85. Clerks should be recruited by a competitive examination conducted by the Public Service Commission. The subjects should be adapted to the purposes for which the clerks will be employed; details might be worked out in consultation with the Public Service Commission. The following subjects are suggested as suitable:—

- (1) Dictation,
- (2) Typing.
- (3) Arithmetic.
- (4) Tabulation.
- (5) Handwriting.

The last named should not form the subject of a separate paper, but marks should be awarded on the candidates' other papers by a separate examiner.

86. The question of the age of recruitment for Assistants is a matter of some difficulty. Proposals are now under consideration for a reduction of the age of recruitment for non-gazetted grades to 19, and this has the general support both of the Sapru Committee on Unemployment and of the Central Advisory Board for Education. The proposal is based on considerations which lie far outside our terms of reference and any recommendation that we make may have to be reconsidered in the light of any general policy that Government may adopt. Viewing the matter from the narrower standpoint of the requirements in this individual grade we feel that a later age is desirable and suggest that the age limits for admission to the examination should be not less than 21 and not more than 23. While we recognise the desirability as far as possible of Government setting their own standards, we feel that unless some educational qualification is laid down there may be considerable practical difficulties in conducting the examination; and on the assumption that the ages put forward above are adopted, the examination should be restricted to those who have obtained at least a second class degree. But this cannot be done unless Government are prepared to introduce a similar minimum qualification in the rules for admission to all other examination for superior posts in Government service, and the question of educational qualifications will obviously require consideration on more general lines in conjunction with the general question of age of the admission to Government service.

87. The Finance Department has at present in operation a separate scheme of recruiting Assistants from the Subordinate Accounts Service. This system should be retained only to the extent of half the number of posts in that Department, the other half being filled by a competi-

tive examination under the scheme applicable to all Departments. The rules regarding communal representation should, however apply to recruits drawn from the Subordinate Accounts Service in the same manner as they apply to those secured by competitive examination.

88. The examination of candidates for the post of Assistant should be mainly literary in character and might consist of papers in the following subjects:—

1. English Essay.
2. Precis writing.
3. Drafting.
4. Arithmetic.
5. General knowledge.
6. The general and economic geography of India.

In addition there should be a *viva voce* examination and an examination by a separate examiner for the purpose of awarding marks on handwriting. As in the case of clerks, there should be no separate handwriting paper but marks should be awarded on the basis of the other papers submitted. In view of the duties that are to be assigned to the Assistants, the first three subjects mentioned above should carry higher marks than the others.

89. It will be clear that under this scheme there can be no promotion from the grade of clerk to that of Assistant. Special posts such as those of Cashier and Librarian and other miscellaneous clerical posts that may be necessary should, however, be filled from the clerk's grade, appropriate allowances being given for posts such as that of Cashier and Librarian which involve special responsibilities. Further, clerks would be eligible, if qualified, for admission to the grade of stenographer and we make later a proposal designed to encourage the acquisition of such qualifications.

90. A scheme for the training of Assistants and Clerks should be worked out by the Establishment Officer. The training should provide for all the necessary instruction in the technical and mechanical work in office including typing. Only modern methods of typing should be recognized. In the case of Assistants the instructions should include such subjects, as indexing, editing, proof reading, preparation of graphs, and a knowledge of the correct forms of address.

91. All appointments of Assistants and Clerks should be probationary in the first instance and no probationer should be confirmed unless he has a recommendation from the Secretary and has passed within a year of his appointment or within such further time as may be allowed him an examination, preferably conducted by the Public Service Commission, to test his fitness for confirmation.

92. Superintendents should be selected from the best qualified Assistants and the principle of selection should be much more strictly applied than it is at present. The general rule should be to consider together all the Assistants of more than a certain minimum seniority e.g., 18 years and to select from those the best qualified man irrespective of seniority except where the claims on other grounds are practically equal.

### *Pay*

93. The present scale of pay of superintendents (new scale) is Rs. 500—20 600. A Superintendent thus reaches his maximum in the course of six years. We consider it desirable that there should be a possibility of some further promotion, particularly as those who attain this grade will have passed the stage when they can be selected for permanent promotion to higher posts. We would therefore give Superintendents who have completed 5 years' service on Rs. 600 a further increment of Rs. 30, if their service has merited this step.

94. In respect of Assistants, we consider it important that there should be two definite grades rather than a single one with an efficiency bar. There is always a reluctance to stop the less competent Assistant at an efficiency bar; it is, in practice, much easier to say that one Assistant is more competent than another than to declare that an Assistant is definitely inefficient. We therefore propose that the Assistants should be in two grades—one third of the cadre in each Department should be on a scale of Rs. 250—10—450, and the remainder on Rs. 150—6—330. Promotion from the lower to the upper grade should be strictly by selection.

95. For clerks we propose the following scales :—

Men	...	...	Rs. 50—3—110	}—4—130. (E.B.) 4—170.
Women	...	...	„ 70—2—110	

In addition there should be admissible in each Department 2 stenography allowances of Rs. 20 each to be given to encourage practising typists to learn the work of stenography. It would be necessary for those drawing the allowance to exhibit a certain competence in this work and tests should be held for this purpose from time to time. Men drawing this allowance will ordinarily fill officiating and ultimately permanent vacancies of stenographer. Clerks should not be permitted to pass the efficiency bar at Rs. 130 on mere typing qualifications. We propose no change in the existing new scale for Stenographers.

## CHAPTER V

### PROCEDURE

#### *The preparation and submission of cases\**

96. The present mode of submission of work has been inherited from days when Members of the Executive Council were themselves officers accustomed to the handling of secretariat files and generally familiar with departmental work and rules. Under a simpler form of administration their work could largely be performed at the office table and they were ready, and perhaps even preferred, to make a detailed study of the notes and correspondence leading up to the final recommendation. An easy, although rather lax practice therefore grew up, and has continued unchanged to the present day, by which every paper or note placed on the file formed a permanent part of it and no attempt was made to confine the record of the proceedings of Government to the papers which marked the substantial stages of consideration or action. When orders were to be taken all the papers were indiscriminately submitted in original to the Member, who was thus practically treated as a higher departmental officer, and with the exception of the inclusion of a summary the same procedure has even been followed in submitting papers to the Governor General. How ever this procedure may have worked—or been tolerated—in the past it will be evident from the introductory chapter of this report that it cannot be reconciled with our conception of the future relationship between the Minister and the Department and that the requirements of the Minister should be met in an entirely different way. As a member of the Cabinet, and not a departmental officer, he will be concerned not with the departmental discussions but with their results. We do not therefore propose that official files and proceedings should normally be submitted in original to Ministers. The ordinary way in which a case should be presented to a Minister should be by means of a concise, self-contained and objective memorandum which should include a specific recommendation and, where appropriate, be accompanied by a draft. The Secretary would no doubt use his discretion in asking the Minister to read any correspondence or other papers which he considered necessary for a proper understanding of the case, but we do not contemplate that the departmental notes would ordinarily be used in this way. Personal discussion between the Secretary and the Minister would be the ordinary means of supplementing the memorandum, and this method should be used freely to keep the Minister informed of cases of importance in progress in the Department, particularly if they are likely to arouse public interest or to involve the Minister in discussions with any of his colleagues.

97. The procedure adopted in submitting cases to the Governor General will be based on the same principles but will naturally be adapted to the circumstances of the cases and to His Excellency's convenience.

98. We considered further the question whether submission by way of memorandum and draft only would be useful in the case of work intended for the Secretary, but we do not think it would be useful to lay down any rule to that effect. As Head of the Department, the Secretary will require to be in closer touch with the details of the departmental proceedings and should see the file. This will, of course, be accompanied by the proposed drafts and, if the case is likely to be submitted to the Minister or to the Governor General, by a draft memorandum prepared for that purpose. We do not, however, propose that even as it reaches the Secretary, the file should be composed in the traditional way described at the beginning of this chapter. This method has nothing to recommend it in any case and may be regarded only as a concession to the existing type of organisation. In future it must be supposed that the Secretary will have to meet considerable demands from the Minister and that a smaller part of his time will be available for work at his office table. If he is to fulfil the part which we have assigned to him it is essential that cases should reach him in as final a stage of preparation as possible and that the file as submitted should contain only those papers, whether notes or correspondence, which are necessary for the disposal of the case.

99. Both for this reason and on general grounds of efficiency of the work and records we wish to lay down the principle that discussions or correspondence which have served their purpose in the intermediate stages of preparation and are of no permanent importance should not form part of the substantive papers of the case. It is impossible to give effect to this principle by means of a mere direction to weed out papers at a later stage of the case. This would involve an extra and often difficult operation and in any case would upset the sequence of papers. What is really required is to recognise the necessary existence of both sorts of papers and to file them separately from the first, so that the permanent file is built up from time to time by the inclusion only of papers which contribute substantively to the disposal of the case. This will be possible under the proposed system of organization by which officers will be in more direct control of the work of sections. The rule which we propose involves a reversal of the present practice by which every paper is automatically placed on the file. In future the rule should be that no paper should be placed on the main file except by order of an officer. Records of a secondary or routine character whether in the form of correspondence or of notes should be included in a separate subsidiary folder. So far as necessary the officer submitting the file should incorporate the results of such discussions in his own note. The papers included in the subsidiary folder will in no case be printed.

100. It is believed that this system will tend to encourage greater freedom of co-operation between officers and the noting sections of the office and thus help the latter to perform their functions to the best advantage without encumbering the file, as explained in paragraph 32 above. At present the consciousness that every note will form part of the permanent record tends to restrict

freedom at the stage where object of the discussions should rather be to eliminate what is unnecessary and to select only what is relevant and useful for the final note on the file.

101. Similar principles can and should be applied to the noting on files belonging to other departments which are received in the course of inter-departmental reference. Although the referring department requires only the final result of consideration in the department addressed, all the discussions in the latter now often appear on the file and become part of the permanent record. In future if the point referred requires any examination in office this should take place off the file and only the final result should be placed on the file by the officer answering the reference.

102. It is desirable, however, that inter-departmental references should be replaced as far as possible by oral discussion between officers of different departments. This practice will reduce noting on the main file, but where it has been adopted a copy of the resulting note placed on the file should usually be sent to the department consulted in order that it may have a record of the conclusions arrived at.

103. Among the different officers dealing with a case within the department interchange of notes or cumulative noting should similarly be avoided as far as possible. Oral discussion between officers should be encouraged as a means of enabling the Under Secretary or Deputy Secretary, as the case may be, either to dispose of the case himself with his higher officer's knowledge and consent or to place on the file a note which the latter can accept without modification or with the minimum of comment. Thus officers will not regard themselves as in separate compartments, each noting independently of the other, and while the higher officers will be able to influence and guide disposals this will be done without duplication of noting and congestion at the top will be avoided.

104. Finally there is one aspect of the preparation and submission of files which should not be neglected if the time of officers is to be saved and the work of the Central Secretariat is to be kept up to the standard which should be expected of it. We refer to the mechanical treatment and arrangement of the papers composing the files from the point of view of convenience of handling, facility of reading and proper protection of the papers. The existing practice in these respects is open to considerable criticism and we consider that the reforms which we have proposed in the composition and contents of files might fittingly be accompanied by equally radical reforms on the mechanical side also. We have appended to this report a Note (Annexure C) in which the defects and inconveniences of the present practice are pointed out and suggestions are made for improvement of the Secretariat instructions on this subject.

R. M. MAXWELL  
G. S. BAJPAI  
J. C. NIXON  
A. G. CLOW

## ANNEXURE A

### SCHEME OF REDISTRIBUTION OF BUSINESS AMONG DEPARTMENTS

#### *Development.*

(Education Health and Lands Department.)

- (i) Education (except Chiefs' Colleges and technical education);
- (v) Reformatory schools;
- (viii) Medical institutions and Civil Medical Services (exclusive of officers on Political cadre);
- (x) Public Health;
- (xi) Land Revenue ( except as regards Jagirs in British Baluchistan); Land acquisition and sales ;
- (xiii) Land acquisition and alienations;
- (xiv) Civil Veterinary Department;
- (xv) Agriculture ;
- (xvi) Famine ;
- (xvii) Co-operation ;
- (xviii) Forests and Arboriculture ;
- (xxii) Foodstuffs ;
- (xxvi) Local self-government in Berar and throughout British India, except British Baluchistan and Ajmer-Merwara ;
- (xxvii) Well irrigation and, except in the North West Frontier Province, such canal irrigation as is not in charge of officers of the Public Works Department ;

(Industries and Labour Department,)

- (xxv) Irrigation.

#### *Overseas.*

(Education, Health and Lands Department.)

- (xxiii) Administration of the Indian Emigration Act ; Indians overseas within the Empire, in the territories administered by any part of the Empire under B or C mandate and in Surinam ; and the Haj Pilgrimage;

(Commerce Department.)

- (i) (a) Lascar seamen ;
- (b) Merchant Shipping.

*Commerce.*

(Commerce Department)

- (i) (f) Fisheries;
  - (ii) Trade and Commerce, including—
    - (a) Company Law (excluding banking law),
    - (b) Commercial Intelligence and Statistics;
    - (c) Tariff Board, Tariffs, except customs duties for revenue purposes, and tariff valuations, but not the administration of tariffs;
    - (d) Foreign and internal trade ;
    - (e) Commercial education;
    - (f) Merchandise marks;
    - (g) Weights and Measures;
  - (iii) Import and Export Regulations (including export cesses other than the cess imposed by the Lac Cess Act, 1930);
  - (iv) Exhibitions outside India ;
  - (v) Life Assurance;
  - (vi) Actuarial work;
- (Industries and Labour Department.)
- (i) Development of Industries (Central aspects);
  - (ii) Industrial Exhibitions in India;
  - (xiii) Stores.

*Scientific.*

(Education, Health and Lands Department.)

- (ii) Oriental languages (except as regards Pushtu, Baluchi and any other language in the North-West Frontier Province),
- (iii) Records,
- (iv) Books and Publications (other than official publications);
- (vi) Archaeology and Epigraphy ,
- (vii) Arts and Museums ,
- (ix) Medical Research .
- (xii) Lands Surveys (Survey of India),
- (xix) Central agencies for research or promotion of special studies in connection with (i), (xiv), (xv), (xvii) and (xviii) of Education, Health and Lands Department's list ,
- (xx) Botanical Survey of India ,
- (xxi) Zoological Survey of India ,
- (xxiv) Cinchona cultivation and the supply of quinine ,
- (xxv) Imperial Library ,

## (Industries and Labour Department.)

- (iii) Geological Survey of India ;
- (vii) Patents and Designs ;
- (viii) Copyright ;
- (xvi) Meteorology ;
- (xx) Broadcasting ;

## (Home Department.)

- (xiv) Census ;

Also Imperial Council of Agricultural Research.

*Labour.*

## (Industries and Labour Department.)

- (iii) Regulation of Mines and Minerals ;
- (vi) The Indian Explosives Act ;
- (v) The Indian Petroleum Act ;
- (vi) Printing and Stationery (including official publications)
- (ix) The Indian Factories Act ;
- (x) Legislation relating to steam boilers ;
- (xi) Legislation on the subject of Electricity (including water power grants) ;
- (xii) Inter-Provincial migration ;
- (xiv) Labour legislation ;
- (xv) International Labour organisation ;
- (xxiii) Civil building except—  
 (1) buildings the construction of which has been financed otherwise than from the Civil Works budget, and  
 (2) buildings the control of which has at the time of construction or subsequently been permanently made over by the Department of Industries and Labour to another Department, both of which classes of buildings are dealt with by the Department concerned ;
- (xxvi) Miscellaneous Public works ;
- (xxvii) Allotment of office accommodation to the Government of India Secretariat and Attached offices.

*Communications.*

## (Commerce Department.)

- (i) (c) Ports, docks, port dues and pilotage ;
- (d) The Lighting of coasts ;
- (e) Inland navigation ;

## (Industries and Labour Department.)

- (xvii) Post office ;
- (xviii) Telegraphs ;
- (xix) Telephones ;
- (xx) Wireless telegraphy ;
- (xxi) Cables ;
- (xxii) Civil Aviation ;
- (xxiv) Communications (including tramways within municipal limits) except in the places referred to in entry (vii) under head (E) foreign and Political Department and in entry (vii) under head (F) Home Department.

With reference to the remark in paragraph II the following items in the Home Department sphere might possibly be transferred to the Legislative Department—

- (ii) Law and Justice ;
- from (viii) Judicial establishments ;
- (ix) Registration ;
- (xii) Escheats and intestate property



## **ANNEXURE B.**

### **FUNCTIONS OF THE OFFICE.**

(a) Functions to be carried out automatically on any case sent to office without specific directions :—

- (i) To see that all papers quoted in correspondance or notes are forthcoming, are properly arranged and paged and have correct marginal references.
  - (ii) To verify the facts so far as open to check.
  - (iii) To point out the law and rules and where they are to be found.
  - (iv) To supply other relevant facts and figures available in the Department.
  - (v) To put up precedents or papers containing previous decisions and policy and to point out the relevant portions of the papers put up.
  - (vi) To draw attention to statutory or customary procedure required for proposal of the case.
  - (vii) In routine cases or cases where there are established precedents to put up drafts for approval.
  - (viii) To bring to notice at the proper time matters requiring action or orders.
- (b) Functions to be performed only by direction of an officer:—
- (i) To examine the case and see that all matters requiring decision are brought forward.
  - (ii) To tabulate and summarise information, if necessary.
  - (iii) To prepare drafts in accordance with orders.

## **ANNEXURE C.**

### **NOTE ON THE ARRANGEMENT AND PREPARATION OF FILES.**

According to Secretariat Instructions No. 59 the present arrangement of papers is (from the top downwards):—

1. Notes (with the last page doubled back).
2. Drafts (I, II, III, etc.).
3. Correspondance.
4. Papers under consideration (I, II, III, etc.).
5. Previous papers.

Secretariat Instruction No. 69 gives the following direction:—

“Demi-official communications, when not ordered to be brought on the official record, shall, if preserved at all, be treated as notes and incorporated therewith”.

*Criticisms :—*

(1) There is considerable mechanical inconvenience in having so many loose papers to deal with and some danger that important receipt may be damaged or mislaid.

(2) The “papers under consideration”:—

The term ‘P. U. C.’ is frequently misleading. The real paper under consideration may be an earlier receipt and what is called the “P. U. C.” may be only an unimportant receipt so labelled because it came last. As such there is no reason to place it in a position of isolation. The case cannot usually be disposed of without reference to the real papers under consideration and to other papers in the main file and nothing is therefore gained by keeping the last receipt loose, still less by hiding it under the notes and drafts. It would be just as reasonable to keep the last note loose. One effect for the present treatment of the “P. U. C.” is that it cannot at once be given its page number in the notes or correspondance and at a later stage, when it has ceased to be the “P. U. C.”, the references to it as such in the notes or margins become unintelligible.

(3) System of doubling back last page of notes:—

This is not directed in the Secretariat instructions. The practice does, it is true, enable the officer receiving the file to ascertain at a glance from whom it has come, but he thereby loses the advantage of being able to see the subject of the case on the notes docket or cover. It also enables him to dispose of some minor cases without opening the file but, since the papers are not doubled back to the beginning of the notes under consideration, he more often has to hunt back for the starting point at the other end of the file.

Another advantage claimed for this system is that it enables the diarist to mark his register without opening the file. But this object could equally well be served by marking the intended movements of the file on the docket sheet or cover of the notes.

(4) System of keeping correspondence and notes separate:—

This appears to have arisen out of the practice of sending copies of the correspondence in all printed files to the India Office. Apart from this requirement there would be considerable advantages in an arrangement which enabled the substantive correspondence with outside offices to be read consecutively and kept separate from discussions within the Secretariat. But in practice this object is completely defeated by the treatment of demi-official letters discussed below.

## (5) Treatment of demi-official communications :--

A large proportion of demi-official letters are exactly the same as official letters except in the mode of drafting. They are just as fully considered and noted upon and the method of obtaining the orders of Government is the same, and in fact the official part of the correspondance is not usually complete without them.

There is no method in the present system by which demi-official communications of whatever character are kept among the "notes" and the "correspondence" consists only of communications drafted in the official form. The substantive stages of the case can only be gathered by referring backwards and forwards between the notes and the correspondence and it frequently happens that the most important letters and telegrams are mixed up with the notes. The simplification of files, which is one of the objects of the Secretariat reorganization now under consideration, would be greatly facilitated by keeping all substantive correspondence, whether official, or demi-offical, on the same file.

[These remarks would not, of course, apply to *real* demi-official correspondence, e.g., communications of only temporary interest between individual officers on their own initiative. As between Secretariat officers these sometime take the place of inter-departmental references and can properly remain on the "notes" file. In other cases they should probably be treated as "routine" (S. I. 63)]

(6) Drafts are strictly speaking part of the notes until finally revised and issued, when they should become "routine" papers and a duplicate of the fair copy, as issued, should be placed on the correspondence file. (An objection sometimes taken is that carbon copies are not very permanent; but experience in those departments which have adopted the practice shows that they are quite permanent enough for practical purposes, particularly when it is remembered that important files required for long retention are printed. It is most undesirable that the only record of an issue should be a draft containing manuscript additions and corrections).

(7) When notes and correspondence are in separate files and have not been printed, there is often much time lost in tracing the notes relating to any particular communication. Entries of receipts or issues are made in red ink (usually illegibly) in the notes file but without serial numbers. (Sometimes these are omitted even in printed files). The only way to trace the relevant note is to look through the red ink entries in the notes until the number and date of the right communication are found mentioned. Obviously every receipt or issue should get its serial number at once and this should be shown prominently against it in the margin of the entry in the notes. It is often quite difficult to find serial numbers even in printed files. These should be shown in heavy type above the actual serial when the file is printed and should be entered prominently in red ink on letter kept unprinted or on letter printed before issue. The serial number, with no further particulars of the serial, should

also appear at the proper place in the notes, as is now done on Foreign and Political Department files.

(8) When notes and correspondence are bound up together (whether printed or not) there is nothing to show where notes end and correspondence begins and, more especially as bound files are sometimes paged consecutively and sometimes not, time is lost in finding the page quoted. Since most files consist of two entirely distinct halves it would help to have a coloured separator clearly dividing notes from correspondence.

(9) Current files are not covered or protected in any way and important papers (especially if the file has been current for some time) are usually much the worse for wear, dog-eared and with the edges often so torn or crumpled as to be illegible. Owing to neglect of the practice of punching papers before tagging them into files papers cannot be turned over easily and often become torn where the tags pass through.

(10) The system of loose-tagging makes files difficult and awkward to handle, especially if they are heavy. As there is no cover to separate one bundle of papers from another the end of the file can only be discovered by lifting up the whole bundle by its tag, and it cannot conveniently be read book-wise like a bound file. Bound files are much easier to handle and read; yet the current file, which is the most important at the time of submission, is always loose and therefore the least easy to read.

(11) Partly owing to absence of covers and partly to the system of doubling back, files submitted bear no outward indication of subject. If this were present, an officer could see more easily which files he wanted to dispose of first.

#### Suggestions—

(1) Correspondence should be placed in a double cover which should be clearly titled with the name of the department file number and subject. In files of moderate size the papers may be tagged to the front cover, but when a file exceeds 50 pages the papers should be temporarily bound into their cover in book form.

(2) Notes should similarly be placed in a double cover of a colour different from that used for correspondence. The last page should not be doubled back but, if necessary, the first page of the "note for consideration" should be so flagged. Space should be provided on the lower half of the cover for indicating movements. These should invariably be entered by the person dealing with the file.

(3) Routine or subsidiary papers, whether correspondence or notes, should be arranged together in chronological order and should have a cover of distinctive colour when they become bulky.

(4) Demi-official correspondence and telegrams to or from officers or persons outside the Secretariat should ordinarily be included in the correspondence file unless they are of purely routine or temporary interest when they may either be treated as "routine" papers or, if required for reference, included in the notes.

(5) The term "paper under consideration", if used at all, should be reserved for the paper on which action is to be taken at the present stage of the case. The receipt (or receipts) on which the case is re-submitted should be termed "fresh receipt" and may be so flagged if desired.

(6) The last receipt should be included at once in its proper place in the correspondence file and not be kept loose.

(7) Drafts for approval should be loose between the notes and the correspondence and should invariably be flagged. After approval and issue a carbon copy of the communication as issued should be added to the appropriate collection of papers.

(8) Every receipt or issue included in the "correspondence" file should be given a serial number at once, and this should be exhibited clearly in its place in the notes without further particulars of the communication.

(9) Every paper, whether a receipt or a note, should be double punched to the correct gauge before it is attached to any file whether of correspondence or of notes. Sheets of all kinds required for notes, drafts or letters should be supplied ready punched for this purpose by the Stationery Office.

(10) The order of arrangement of a file under submission (from the top downwards) will be :

1. Notes, ending in the note for consideration.
2. Drafts for approval.
3. Correspondence, including the fresh receipt in its proper place.
4. Previous papers (as now).

(11) In all printed or bound files a coloured sheet or "separator" should be included between the correspondence and the notes.

Suggestions (4), (6) and (10) are the only ones which involve a departure from the present Secretariat Instructions (69 and 59, respectively). The other suggestions could be made a matter of departmental practice, but in order to secure uniformity it is desirable that they, should be incorporated in the Secretariat Instructions.



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